

1 BARRY J. PORTMAN  
Federal Public Defender  
2 MANUEL U. ARAUJO  
Assistant Federal Public Defender  
3 160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
4 Telephone: (408) 291-7753  
5 Counsel for Defendant NGUYEN

**FILED**

SEP 27 2011

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR-10-00075 JW (HRL)  
12 )  
Plaintiff, ) EX PARTE APPLICATION AND  
13 ) ~~PROPOSED~~ ORDER DIRECTING  
vs. ) CLERK'S OFFICE TO RELEASE  
14 ) PASSPORT; DECLARATION IN SUPPORT  
NHO THI NGUYEN, ) THEREOF  
15 )  
Defendant. )  
16 )

17 **APPLICATION**

18 I, Manuel U. Araujo, hereby declare as follows:

19 1. I am an Assistant Federal Public Defender for the Northern District of California,  
20 San Jose Division. My office has been appointed to represent defendant Nho Thi Nguyen in the  
21 above-captioned case.

22 2. Ms. Nguyen surrendered her passport at the beginning of this case and it is being  
23 held by the Clerk's Office.

24 3. Ms. Nguyen was convicted and sentenced to probation. I am informed and believe  
25 that she has now successfully completed her term of probation.

26  
Ex Parte Application for Release of Passport;  
[Proposed] Order  
No. CR 10-00075 JW (HRL)

5. For the reasons set forth above, it is respectfully requested that the Clerk's Office be directed to release Ms. Nguyen's passport to a representative of the Office of the Federal Public Defender, to be returned to Ms. Nguyen.

I declare under penalty of perjury that the foregoing is true and correct, except for those matters stated on information and belief, and as to those matters, I am informed and believe them to be true.

Executed this 27th day of September, 2011, at San Jose, California.

Respectfully submitted,

BARRY J. PORTMAN  
Federal Public Defender

/s/

MANUEL U. ARAUJO  
Assistant Federal Public Defender

~~[PROPOSED]~~ ORDER

GOOD CAUSE APPEARING, upon application of defendant Nho Thi Nguyen, by and through counsel, IT IS HEREBY ORDERED that the Clerk's Office shall release Ms. Nguyen's passport to a representative of the Office of the Federal Public Defender.

IT IS SO/ORDERED.

Dated: 9/27/2011

The Honorable Howard R. Lloyd  
United States Magistrate Judge